

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of)
)
Paul Anson BROWN)
)
U.S. Patent No.: 6,137,794)
Issued: October 24, 2000)
from Application Serial No.: 09/441,678)
)
Reexamination Application No.: 90/007,802)
Reexamination Filing Date: November 9, 2005)
)

Group Art Unit: 3992

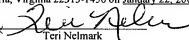
Examiner: Scott L. Weaver

**DECLARATION OF MICHAEL E.
DERGOSITS PURSUANT 37 CFR
§1.132**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Ex Parte Reexam, central Reexamination Unit, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on January 22, 2007.

By


Teri Nelmark

Mail Stop Ex Parte Reexam
Central Reexamination Unit
Commissioner for Patents
Post Office Box 1450
Alexandria VA 22313-1450

Sir:

Michael E. Dergosits, attorney of record in the above-referenced patent application, hereby makes the following declaration under 37 C.F.R. § 1.132:

1. Attached as Exhibit A is a true and correct copy of the August 12, 2005 Order on Claim Construction issued by the Hon. George P. Schiavelli, U.S. District Judge for the Central District of California in the case captioned RGB Systems, Inc. dba Extron Electronics v. SP Controls, Inc., CV 04-6946 GPS (FMOx).

2. Attached as Exhibit B is a true and correct copy of U.S. Patent No. 6,137,794 ("the '794 patent.")

3. Attached as Exhibit C are highlighted portions of the Extron System 8/10 Switcher User's Manual and corresponding highlighted portions of the product catalog page submitted by applicant during the original prosecution of the '794 patent.

4. Attached as Exhibit D are relevant portions of the transcript for the Deposition of Paul Brown on October 13, 2004.

Dated: January 22, 2007

By: Michael E. Dergosits
Michael E. Dergosits

Address correspondence to:

Michael E. Dergosits
DERGOSITS & NOAH LLP
Four Embarcadero Center, Suite 1450
San Francisco, California 94111
(415) 705-6377

Attorney Docket No. 661.02